

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ADAM BLUEFORD, et al.,
Plaintiffs,
v.
CITY OF OAKLAND, et al.,
Defendants.

Case No. [12-cv-03791-WHO](#)

**SECOND ORDER RE
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL**

Re: Dkt. No. 48

In the Court's February 6, 2014 Order re Administrative Motion to File Under Seal, the Court directed defendants to file a declaration demonstrating that compelling reasons justify sealing specific portions of Exhibits A & C to the declaration of Benjamin Nisenbaum (the Internal Affairs interview of Officer Masso and Officer's Masso's deposition transcript). The Court explained that defendants could not rely on the fact that those documents were marked confidential under the Protective Order in this case and would, instead, have to articulate a factual basis explaining why specific portions of those exhibits should be sealed under the "compelling reasons" standard. Docket No. 49.

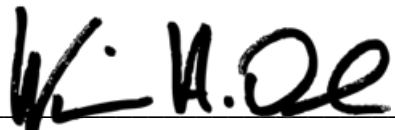
The declaration defendants filed in response, on February 10, 2014, is deficient. The declaration does not, contrary to the Court's directive, explain why specific portions of Exhibits A & C should be sealed under the compelling reasons standard. Instead the declaration asserts, without any factual basis or context, that all information in Exhibits A & C should be sealed because the documents "are not the type normally released to the public" and release could implicate the "right to privacy" in the "investigatory work" of unspecified individuals. The declaration not only fails to seek narrowly tailored sealing of specific information, it does not provide any compelling reasons to justify the proposed sealing.

The Court will not hunt through Exhibits A & C to find a compelling reason to seal

1 information. If defendants believe that specific portions of Exhibits A & C should be filed under
2 seal, defendants must within four (4) days of the date of this Order provide a supplemental
3 declaration that meets the compelling reasons standard required under Ninth Circuit precedent.
4 *See* Order 49. If defendants do not file a supplemental declaration and/or the declaration does not
5 show that the compelling reasons standard has been met, the Court shall file Exhibits A & C in the
6 public record.

7 **IT IS SO ORDERED.**

8 Dated: February 13, 2014

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10 WILLIAM H. ORRICK
11 United States District Judge
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